IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL (L) NO.607 OF 2007
IN
SUIT NO.2504 OF 1984

Sanjay Sampatraj Jain & Anr. .. Appellants
V/s
State of Maharashtra .. Respondent

Mr.R.N.Kachare for the Appellants.
Mr.G.W.Mattos, AGP for Respondent No.1.

CORAM : DR.S.RADHAKRISHNAN, &
ANOOP V.MOHTA, JJ.

DATE : 7th December, 2007.

P.C.:

. By consent of the learned Counsel for the Appellant and the learned Counsel for Respondent No.1, the Appeal is taken on board for final hearing. The learned Counsel for Respondent No.1 waives service. Both the learned Counsel state that the presence of Respondent No.2 is not necessary for disposal of this Appeal. Hence the name of Respondent No.2 stands deleted from this Appeal.

2. By this Appeal, the Appellant is chellenging an order dated 22.7.2005 whereby the learned Single Judge has decreed the suit exparte. Now the parties have mutually settled the matter out of the Court. The lerned AGP, on instructions from the officer - Mr.S.T.Khadse who is personally present in Court, states that the matter has been settled out of the Court. In view of the above, Appeal is allowed. The impugned order dated 22.7.2005 stands set aside.

(ANOOP V.MOHTA, J.) **(DR.S.RADHAKRISHNAN, J.)**